



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105-3901

January 3, 1994

David Vandenberg
Bureau of Land Management
Elko District Office
P.O. Box 831
Elko, NV 89803

Dear Mr. Vandenberg:

The U.S. Environmental Protection Agency (EPA) has reviewed the **Final Environmental Impact Statement (FEIS) for Newmont Gold Company's South Operations Area Project, Elko and Eureka Counties, Nevada**. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations, and our authorities under §309 of the Clean Air Act.

In our comment letter regarding the Draft Environmental Impact Statement (DEIS), we expressed objections to the proposed project based on its potential impacts to wetlands and riparian areas, surface water flows and aquatic habitat, and water quality. We also requested additional information regarding water quality and quantity mitigation measures, groundwater modeling, acid drainage prevention/control measures, and monitoring.

We commend Newmont and BLM for their efforts in coordinating with several parties to develop the proposed mitigation plan for the South Operations project. The mitigation plan appears to be progressive in its approach, and we encourage cooperation between all involve parties. We remain seriously concerned, however, about impacts to streams and springs should mitigation not prove fully successful, especially during the period between cessation of dewatering and complete recovery of the groundwater table to pre-mining elevations. We urge BLM and Newmont to undertake a rigorous monitoring program. We understand that the U.S. Geological Survey is studying the effects of mine dewatering in the Carlin Trend. We recommend that BLM encourage cooperation/voluntary measures by Newmont and other affected parties to adaptively manage mitigation as deemed necessary based on the results of project monitoring and the U.S.G.S. study. We also recommend additional information in the mitigation plan and request of copy of the mitigation plan after it is revised. In addition, we are requesting copies of reports that have been

incorporated by reference into the EIS. Our specific comments are enclosed.

We appreciate the opportunity to review this FEIS. If you have any questions, please call me at (415) 744-1574 or Jeanne Geselbracht at (415) 744-1576.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Farrel", with a horizontal line underneath.

David J. Farrel, Chief
Environmental Review Section
Office of Federal Activities

001569/93-461

cc: David Cowperthwaite, NDEP Clearinghouse

Specific Comments -- South Operations FEIS

FEIS, p. 4-37, Q: In our DEIS comment letter, we stated that it did not appear that refractory ore stockpiles would be managed to prevent acid drainage. Response Q to our letter states that the monitoring plan, "Refractory Stockpile and Waste Rock Dump Monitoring Plan," and been submitted to NDEP. We understand that NDEP has not received this report (personal communication, Dave Gaskin, Bureau of Mining Regulations and Reclamation, 12/6/93). We would appreciate a copy of this report for review.

FEIS, p. 4-37, R: We requested that the groundwater monitoring plan be included in the FEIS. The FEIS responded that the plan has been approved by NDEP. Receipt and approval of the monitoring plan by a State regulatory agency does not exempt it from disclosure in an EIS. In fact, according to the DEIS, the monitoring plan is one of four factors "expected to adequately mitigate or detect potential formation and discharge of acid water" (p. 4-4). We would appreciate a copy of the monitoring plan for review.

FEIS, p. 3-1 (Errata): The FEIS states that Barrick has committed to installing an injection well system on the western slope of the Tuscarora Mountains, which would mound groundwater and prevent an overlap of Barrick's and Newmont's dewatering impacts. It is unclear whether the reinjection would cease upon completion of Barrick's dewatering operations. If so, the mounding effect would only last for a short time before the impacts of groundwater drawdown would reappear in that area.

Appendix A, p.7, ¶3; p. 16, ¶4, bullet 1: Would replacement of water in middle Maggie Creek and at springs and seeps provided by constructing interception pits or solar-powered wells adversely affect wetlands elsewhere?

P.7, ¶5: Maggie Creek Ranch has agreed in principle to manage the new pasture. The Final Mitigation Plan should include a firm commitment from Maggie Creek Ranch regarding its management responsibilities.

P. 10, ¶3: If the wetland vegetation on the Jack/Coyote Flood Plain does not improve in the absence of grazing after three years, the TS Ranch will have the option to convert it to a Controlled Grazing Zone. The mitigation plan should explain the reason for this. Would natural resources be enhanced, or would it be an admission of failure? If the wetland vegetation does not improve, what contingency mitigation would be required? What would controlled grazing involve?

P. 11, ¶3: We commend TS Ranch for its active involvement in the Vegetation Management System, including voluntary reduction of

animal unit months. We agree that the information developed through this program could be very useful in planning future watershed projects and urge BLM to conduct rigorous monitoring of the Vegetation Management System in order to make the information collected as useful as possible. We recommend that BLM adaptively manage the watershed restoration in the Maggie Creek watershed based on feedback obtained through monitoring.

P. 13: The mitigation plan involves enhancement of 1,006 acres of riparian habitat along Maggie Creek within the 10-foot groundwater drawdown contour. The mitigation includes as needed flow augmentation and restoration of habitat on Maggie Creek above the narrows. However, it is unclear how lower Maggie Creek would be enhanced. The mitigation plan should clearly describe the mitigation measures to be implemented for lower Maggie Creek and discuss how resources along this segment would benefit.

P. 14: It is unclear from the EIS what the dewatering impacts on Susie Creek are expected to be. The FEIS indicates, however, that 262.9 acres of riparian habitat on lower Susie Creek would possibly be affected. The FEIS states that fencing would be installed along unprotected segments of the creek in order to offset any potential adverse impacts from dewatering. The mitigation plan should describe the anticipated effects to Susie Creek and explain how fencing to exclude cattle would offset any of these effects. In addition, the mitigation plan should include a signed approval form Maggie Creek Ranch to construct fencing along Susie Creek.

P. 15, ¶2: The mitigation plan should clarify whether the 12,000-acre Riparian Pasture on the upper Marys River watershed will be protected. If so, details of this measure should be included in the plan (e.g., the kind of protection/enhancement over how many acres).

P. 16, ¶3: The mitigation plan should ensure that fences at these springs as well as along stream segments would not exclude wildlife.

Pp. 26-27: What criteria were used to determine which springs and seeps would be mitigated with wells and which would have guzzlers?

P. 38, ¶3: EPA recommends that BLM consider alternatives to rip-rap to stabilize Maggie Creek. Bioengineering measures such as willow wattling and Armorflex could negate the need for rip-rap. If any of these areas are now grazed, they would need to be fenced to exclude livestock grazing.

P. 42: The mitigation plan does not sufficiently explain how potentially acid-producing waste rock or tailings would be encapsulated for disposal. The FEIS's Response 0 to Letter #12

(EPA's DEIS comment letter) states that the specifics of encapsulation of this material in the Mill2/5 tailing dam are included in the Knight Piesold and Co, 1992, Report, copies of which neither EPA nor Nevada Division of Environmental Quality has (personal communication, Dave Gaskin, NDEP). EPA would appreciate a copy of this report for review.

P. 68, Appendix A: The mitigation plan should specify the period of time over which the monitoring check lists will be prepared at five-year intervals. We recommend monitoring continue until all surface water and groundwater resources have completely recovered.